

AO 91 (Rev. 11/11) Criminal Complaint
 United States District Court
 Southern District of Texas
 FILED

UNITED STATES DISTRICT COURT

DEC 30 2019

for the

David J. Bradley, Clerk

Southern District of Texas

United States of America

v.

Rafael GARCIA (YOB: 1991) USA

Case No. M-19-3163-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 28, 2019 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

21 USC 846
 21 USC 841

Offense Description

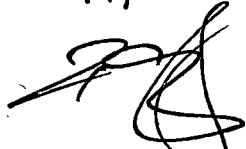
Conspiracy to Possess with the Intent to Distribute and Possession with
 Intent to Distribute Marijuana, approximately 72.5 Kilograms, a schedule I
 controlled substance.

This criminal complaint is based on these facts:

(See Attachment I)

☒ Continued on the attached sheet.

Approved by



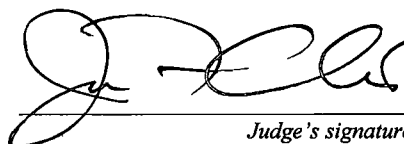
Sworn to before me and signed in my presence.

Date: 12/30/19 - 8:30 a.m.City and state: McAllen, Texas


Complainant's signature

Christopher Donahue, DEA Special Agent

Printed name and title



Judge's signature

Juan F. Alanis, U.S. Magistrate Judge

Printed name and title

ATTACHMENT 1

1. On December 28, 2019, at approximately 6:30 p.m., a U.S. Border Patrol Agent (BPA) observed multiple suspected illegal aliens approach a parked Chevrolet truck in the area of Guerra Avenue and N. Estrella Street, Roma, Texas which is approximately $\frac{1}{4}$ mile from the Rio Grande River. Soon thereafter, BPA Carl Hutson attempted to make contact with the parked truck. As BPA Hutson approached the vehicle, BPA Hutson observed several subjects running away from the truck towards the Rio Grande River. As BPA Hutson attempted to make contact with the vehicle, the vehicle accelerated past BPA Hutson in an attempt to evade BPA Hutson. When the vehicle drove past BPA Hutson, BPA Hutson observed multiple bundles of suspected marijuana in the bed of the truck. Additional law enforcement officers subsequently responded to the area and BPAs attempted to conduct a vehicle stop on the truck. The truck driver subsequently failed to yield to agents and agents pursued the vehicle through Roma and Rio Grande City, Texas. After approximately ten minutes, the driver abandoned the truck and absconded from the vehicle. Agents subsequently pursued the driver on foot and apprehended the driver, Rafael GARCIA, approximately 200 yards from his Chevrolet truck.
2. In the bed of the GARCIA's Chevrolet truck were three black and brown bundles of suspected marijuana. The bundles were subsequently processed at the Border Patrol Station, weighed approximately 72.5 kilograms, and contained suspected marijuana. BPA Hutson stated that the bundles smelled like marijuana and were consistent with marijuana bundles he had previously seized.
3. On December 29, 2019, agents conducted a post arrest Mirandized interview of GARCIA. During the interview, GARCIA admitted to participating in the marijuana smuggling attempt. GARCIA stated that an associate asked him if he knew of any individuals who could pick up and transport marijuana. GARCIA stated that he agreed to pick up the marijuana and that he was going to be paid \$2,000 for picking up and transporting the marijuana. GARCIA stated that several subjects placed three marijuana bundles in his truck and he absconded from agents in attempt to not be arrested.